

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Linda Snider,)	
)	
Plaintiff,)	Civil Action No. 6:14-2585-RMG
)	
vs.)	
)	
Carolyn W. Colvin, Commissioner of)	ORDER
Social Security,)	
)	
Defendant.)	
)	
_____)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on October 26, 2015 recommending that the decision of the Commissioner be reversed and remanded to the agency. (Dkt. No. 17). The Magistrate Judge's recommendation is based on (1) the failure to consider Plaintiff's chronic diarrhea in the RFC analysis; and (2) the failure to weigh new and material medical opinions received for the first time by the Appeals Council from treating health care providers and to reconcile that new and material evidence with other medical opinions in the record that had been credited by the ALJ, as required by *Meyer v. Astrue*, 662 F.3d 700, 706-07 (4th Cir. 2011). The Commissioner has filed a reply to the R & R indicating that she does not intend to file any objections to the R & R of the Magistrate Judge. (Dkt. No. 19).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter and correctly concluded that the decision of the Commissioner should be reversed and remanded. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court (Dkt.. No. 17), **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'RM Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
November 18 2015